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HOUSE BILL 1641

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State of Washington

59th Legislature

2005 Regular Session

By Representatives Kretz, Blake, Ahern, Buri, Ericks, Serben, DeBolt, Schindler, Kristiansen, Condotta, Orcutt, Strow, Cox, Buck and Armstrong

Read first time 01/31/2005. Referred to Committee on Natural Resources, Ecology & Parks.

1 AN ACT Relating to decriminalizing vessel registration violations;  
2 amending RCW 88.02.020, 88.02.090, and 88.02.110; and prescribing  
3 penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 88.02.020 and 1985 c 267 s 1 are each amended to read  
6 as follows:

7 Except as provided in this chapter, no person may own or operate  
8 any vessel on the waters of this state unless the vessel has been  
9 registered and displays a registration number and a valid decal in  
10 accordance with this chapter, except that a vessel which has or is  
11 required to have a valid marine document as a vessel of the United  
12 States is only required to display a valid decal. A violation of this  
13 section is a class 2 civil infraction.

14 **Sec. 2.** RCW 88.02.090 and 1983 c 7 s 21 are each amended to read  
15 as follows:

16 Any person charged with the enforcement of this chapter may request  
17 for inspection the certificate of registration from any vessel owner or  
18 operator to ascertain the legal and registered ownership of such

1 vessel. Failure to provide such certificate for inspection upon the  
2 request of any person charged with enforcement of this chapter  
3 (~~constitutes~~) is a (~~violation of this chapter and subjects the~~  
4 ~~person requested to produce such document to the penalties provided by~~  
5 ~~RCW 88.02.110~~) class 2 civil infraction.

6 **Sec. 3.** RCW 88.02.110 and 1993 c 244 s 4 are each amended to read  
7 as follows:

8 (1) Except as otherwise provided in this chapter, a violation of  
9 this chapter and the rules adopted by the department pursuant to these  
10 statutes is a misdemeanor punishable only by a fine not to exceed one  
11 hundred dollars per vessel for the first violation. Subsequent  
12 violations in the same year are subject to the following fines:

13 (a) For the second violation, a fine of two hundred dollars per  
14 vessel;

15 (b) For the third and successive violations, a fine of four hundred  
16 dollars per vessel.

17 (2) A violation designated in this chapter as a civil infraction  
18 shall be punished accordingly pursuant to chapter 7.80 RCW.

19 (3) After subtraction of court costs and administrative collection  
20 fees, moneys collected under this section shall be credited to the  
21 current expense fund of the arresting jurisdiction.

22 (~~(3)~~) (4) All law enforcement officers shall have the authority  
23 to enforce this chapter, and the rules adopted by the department  
24 pursuant to these statutes within their respective jurisdictions:  
25 PROVIDED, That a city, town, or county may contract with a fire  
26 protection district for such enforcement and fire protection districts  
27 are authorized to engage in such activities.

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